UNITED STATES PATENT AND TRADEMARK OFFICE

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10/726,727	12/02/2003	William Randolph Matz	60027.0201US01/BS02339	6346

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-32* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *02 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All   b)☐ Some * c)☐ None of:

　　　　1.☐ Certified copies of the priority documents have been received.

　　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
　　　　　　application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date *1/16/2004*.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

Information Disclosure Statement

1.   The information disclosure statement (IDS) submitted on 01/16/2004. The

submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the

information disclosure statement is being considered by the examiner.

Specification

2.   The title of the invention is not descriptive. A new title is required that is clearly

indicative of the invention to which the claims are directed.

.   The following title is suggested: "System and method for personalized channel".

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4.   Claims 1-3, 11, 13, 16, 18-21, 23, and 25-32 are rejected under 35 U.S.C. 102(b)

as being anticipated by Arai et al. (Patent # US 6486920 B2).

As to claim 1, Arai discloses a method of presenting channel content in a

distributed network having a client device (e.g., receiver 100; Fig. 73) and a server

device (e.g., center system 1000; Fig. 73), the method comprising:

evaluating tagged content (e.g., searching program information matched search condition) (see col. 8, lines 50-65; Fig. 1 and 3);

creating a personalized channel at the client device, wherein the personalized channel comprises content from two or more predetermined channels (e.g., "my channel") (see col. 9, lines 17-35; Fig. 4);

displaying the content on the personalized channel (see col. 9, lines 17-35; Fig. 4).

As to claim 18, Arai discloses a method of displaying a programming guide of channel content in a distributed network having a client device (e.g., receiver 100; Fig. 73) and a server device (e.g., center system 1000; Fig. 73), the method comprising:

receiving tag information prior to receiving associated content (e.g., program information) (see col. 8, lines 15-24);

evaluating tag information based on a stored profile of preferences (e.g., searching program information matched search condition) (see col. 8, lines 45-65; Fig. 1 and 3);

displaying a personalized programming guide at the client device, wherein the personalized programming guide displays a preferred subset of available content (see col. 9, lines 17-35; Fig. 4).

As to claim 25, Arai discloses a system for displaying personalized channel information comprising:

a receive module (e.g., receiving section 1; Fig. 1) that receives tag information, wherein the tag information is associated with content that may be viewed by a user of the system;

an analysis module (e.g., search section 4; Fig. 1) that analyzes the tag information and modifies the display of the tag information (e.g., generating a my channel list) (see col. 8, lines 45-65);

a display module (e.g., program guide display section 6) for displaying the modified tag information (see col. 9, lines 17-35; Fig. 4).

As to claim 2, Arai discloses a method as defined in claim 1 wherein the tagged content is received from the server device and wherein the method further comprises:

parsing the tagged content to evaluate the tags (e.g., searching program information matched search condition) (see col. 8, lines 50-65; Fig. 1 and 3);

wherein the act of creating a personalized channel comprises repackaging content into the personalized channel (e.g., switching between channels to generate personal channel) (see col. 9, lines 35-45).

As to claim 3, Arai discloses a method as defined in claim 1 wherein the tagged content is received from the server device and wherein the method further comprises:

parsing the tagged content to evaluate the tags (e.g., searching program information matched search condition) (see col. 8, lines 50-65; Fig. 1 and 3);

wherein the act of creating a personalized channel comprises automatically

redirecting selected content to the user (e.g., switching between channels to generate

personal channel; it is done by the receiver) (see col. 9, lines 35-45).

As to claim 11, Arai discloses a method as defined in claim 1 further comprising:

creating a second personalized channel (e.g., my channel 2; Fig. 6), the second

personalized channel comprising content from two or more predetermined channels,

wherein second channel comprises at least some content not in the first personalized

content (see col. 9, lines 55-67; Fig. 6).

As to claims 13 and 16, they contain the limitations of claims 1 and 11 and are

analyzed as previously discussed with respect to claims 1 and 11 above.

As to claim 19, Arai discloses a method as defined in claim 18 wherein the

preferred subset matches the profile preferences (e.g., searching program information

matched search condition) (see col. 8, lines 45-65; Fig. 1 and 3).

As to claim 20, Arai discloses a method as defined in claim 18 wherein the

personalized programming guide blocks content tags associated with content to be

excluded, as identified in the profile (e.g., only program information matched search

condition in the search result; i.e., blocking not matched information) (see col. 8, lines

45-65; Fig. 1 and 3).

As to claim 21, Arai discloses a method as defined in claim 18 wherein the personalized programming guide displays one or more personalized channels (e.g., my channel 1 and 2; Fig. 6).

As to claim 23, it contains the limitations of claim 18 and is analyzed as previously discussed with respect to claim 18 above.

As to claim 26, Arai discloses a system as defined in claim 25 wherein the modified tag information (e.g., generating a my channel list) displayed is an abbreviated programming guide (see col. 9, lines 17-35; Fig. 4).

As to claim 27, Arai discloses a system as defined in claim 26 wherein the abbreviated programming guide displays personalized channel data (e.g., my channel data) (see col. 9, lines 17-35; Fig. 4).

As to claim 28, Arai discloses a system as defined in claim 27 further comprising:

a user input/output module (e.g., remote controller 9) that receives personalized channel content selections to be added to the personalized channel, wherein the analysis module adds the selected content to the personalized channel (e.g., user selecting a program add to personal channel) (see col. 10, lines 35-42).

As to claim 29, Arai discloses a system as defined in claim 27 further comprising:

a profile interface module (e.g., search condition input section 3) that accesses a

user profile and provides tag information to the analysis module (e.g., search section 4;

Fig. 1), the analysis module uses the profile tag information in selecting content to add

to the personalized channel (see col. 8, lines 50-65; col. 10, lines 6-11).

As to claim 30, Arai discloses a system as defined in claim 25 wherein the

modified tag information (e.g., generating a my channel list) comprises a personalized

channel of content (see col. 8, lines 45-65).

As to claims 31-32, they contain the limitations of claims 28-29 and are analyzed

as previously discussed with respect to claims 28-29 above.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 4-10, 12, 14-15, 17, 22, and 24 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Arai in view of Labeeb et al. (Pub # US 2003/0093792 A1).

As to claim 4, Arai discloses user preferences.

Arai does not specifically disclose the personal channel is created automatically through user profile.

Labeeb discloses a method as defined in claim 1 wherein the personalized channel is automatically created through use of a profile, wherein the profile is a stored data structure (e.g., database 116) identifying user preferences and wherein the evaluating act compares incoming tag information with the profile to determine which content to add to the new channel (e.g., personal preference database generated by user's viewing habits) (see paragraph 0067, 0073, 0104-0106).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide automatically generated profile as taught by Labeeb to the personal channel system of Arai because it allows the viewer to select one of the plurality of received TV programs for viewing, and responding to the viewer selection by controlling the programming displayed to the viewer in accordance with the viewer selection and with previously determined viewing preferences of the viewer (see paragraph 0003).

As to claim 5, Labeeb discloses a method as defined in claim 4 wherein the profile further comprises exclusion information and wherein content is not added to the personalized channel when tag information associated with the content matches exclusion information in the profile (e.g., filtering out Ads that not be interesting to the viewer) (see paragraph 0067, 0073, 0104-0106, 3010).

As to claim 6, Labeeb discloses a method as defined in claim 4 wherein the preference information comprises preferences as to the type of content and the rating of the content (see paragraph 0353).

As to claim 7, Labeeb disclose a method as defined in claim 4 further comprising: manually creating the profile (e.g., viewer created profile) (see paragraph 0207).

As to claim 8, Labeeb discloses a method as defined in claim 4 further comprising: automatically creating the profile based on historical information (e.g., personal preference database generated by user's viewing habits) (see paragraph 0067, 0073, 0104-0106).

As to claim 9, Labeeb discloses a method as defined in claim 8 further comprising: automatically updating the profile based on updated historical information (e.g., personal preference database generated by user's viewing habits) (see paragraph 0067, 0073, 0104-0106, 0112, 0114).

As to claim 10, Labeeb discloses a method as defined in claim 1 wherein the personalized channel is manually created and updated (e.g., every time the viewer update the profile it will change the personal channel settings) (see paragraph 0207).

As to claim 12, Labeeb discloses a method as defined in claim 11 further comprising: accessing the first personalized channel using a first access code; and accessing the second personalized channel using a second access code, the second access code being different from the first access code (e.g., the personal channel is based on user's profile, each user has different profile, and each user has a password to login the system; i.e., user Bob has a password, user Susan has a password) (see page 145-146).

As to claims 14-15 and 17, they contain the limitations of claims 9-10,12 and are analyzed as previously discussed with respect to claims 9-10, 12 above.

As to claim 22, Arai discloses a method as defined in claim 21 wherein the programming guide scrolls through the predetermined channels, wherein the method further comprises: continuously displaying the one or more personalized channels (it would have been obvious to one of ordinary skill in the art at the time the invention was made to continuously displaying the personalized channels, user does not need to go through the program guide to pick the program).

As to claim 24, it contains the limitations of claim 22 and is analyzed as previously discussed with respect to claim 22 above.

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Novak et al. (Patent # US 7103905 B2) is cited to teach personal channel.

Wood et al. (Pub # US 2005/0047752 A1) is cited to teach personal channel.

Traw et al. (Pub # US 2003/0066090 A1) is cited to teach personalized channel.

Inquiries

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jun Fei Zhong whose telephone number is 571-270-

1708. The examiner can normally be reached on Mon-Fri, 7:30-5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Vivek Srivastava can be reached on 571-272-7304. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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09/23/2007

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